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MESMER & DELEAULT, PLLC  
1 NEW HAMPSHIRE AVENUE  
SUITE 125  
PORTSMOUTH, NH 03801

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**AUG 28 2007**

**OFFICE OF PETITIONS**

In re Application of :  
Timothy C. Bonerb :  
Application No. 10/711,362 : DECISION ON PETITION  
Filed: September 14, 2004 :  
Attorney Docket No. BON.US.47 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed April 18, 2007, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

This application became abandoned for failure to timely pay the issue and publication fees and to submit corrected formal drawings on or before January 24, 2007, as required by the Notice of Allowance and Fee(s) Due and the Notice of Allowability, mailed October 24, 2006. Accordingly, the date of abandonment of this application is January 25, 2007. A Notice of Abandonment was mailed on February 21, 2007.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional

information. See MPEP 711.03(c)(II)(C) and (D). The instant petition lacks item(s) (1) above.

The issue and publication fees have been received. However, there is no indication that replacement drawings as required by the Notice of Allowability of October 24, 2006 have been submitted. Accordingly, this application cannot be revived until the replacement drawings have been submitted.

The reply (the replacement drawings) should be accompanied by a renewed petition under 37 CFR 1.137(b) (no additional fee required).

Further correspondence with respect to this matter should be addressed as follows:

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The centralized facsimile number is (571) 273-8300.

Correspondence regarding this decision may also be filed through the electronic filing system of the USPTO.

To expedite consideration, petitioner may wish to contact the undersigned regarding the filing of the renewed petition under 37 CFR 1.137(b).

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

  
Frances Hicks  
Petitions Examiner  
Office of Petitions